

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DIRECTTV, Inc., a
California corporation,

Plaintiff,

vs.

MARIE GUERDIE CHIRAC,

Defendant.

03-12263-PBS
CIVIL ACTION No. 03-12263-PBS

AMENDED ANSWER AND DEMAND FOR JURY TRIAL

INTRODUCTION

1. The Defendant, Marie Guerdie Chirac (hereinafter: "Defendant" or "Ms. Chirac") lacks sufficient knowledge to admit or deny the truth of the allegations contained in paragraph one of the Complaint. Defendant therefore denies these allegations and calls upon the Plaintiff to prove them.

2. The Defendant lacks sufficient knowledge or information to admit or deny the truth of the allegations contained in paragraph two of the Complaint. Defendant therefore denies these allegations and calls upon the Plaintiff to prove same.

3. The Defendant lacks sufficient knowledge or information to admit or deny the truth of the allegations contained in paragraph three of the Complaint. Defendant therefore denies these allegations and calls upon the Plaintiff to prove same.

4. The Defendant lacks sufficient knowledge or information to admit or deny the truth of the allegations contained in paragraph four of the Complaint. Defendant therefore denies these

allegations and calls upon the Plaintiff to prove same.

5. The Defendant lacks sufficient knowledge or information to admit or deny the truth of the allegations contained in paragraph five of the Complaint. Defendant therefore denies these allegations and calls upon the Plaintiff to prove same.

6. The Defendant lacks sufficient knowledge or information to admit or deny the truth of the allegations contained in paragraph six of the Complaint. Defendant therefore denies these allegations and calls upon the Plaintiff to prove same.

DIRECTTV'S SECURITY SYSTEM

7. The Defendant lacks sufficient knowledge or information to admit or deny the truth of the allegations contained in paragraph seven of the Complaint. Defendant therefore denies these allegations and calls upon the Plaintiff to prove same.

8. The Defendant lacks sufficient knowledge or information to admit or deny the truth of the allegations contained in paragraph eight of the Complaint. Defendant therefore denies these allegations and calls upon the Plaintiff to prove same.

9. The Defendant lacks sufficient knowledge or information to admit or deny the truth of the allegations contained in paragraph nine of the Complaint. Defendant therefore denies these allegations and calls upon the Plaintiff to prove same.

10. The Defendant lacks sufficient knowledge or information to admit or deny the truth of the allegations contained in paragraph ten of the Complaint. Defendant therefore denies these allegations and calls upon the Plaintiff to prove same.

11. The Defendant lacks sufficient knowledge or information

to admit or deny the truth of the allegations contained in paragraph eleven of the Complaint. Defendant therefore denies these allegations and calls upon the Plaintiff to prove same.

12. The Defendant lacks sufficient knowledge or information to admit or deny the truth of the allegations contained in paragraph twelve of the Complaint. Defendant therefore denies these allegations and calls upon the Plaintiff to prove same.

13. The Defendant lacks sufficient knowledge or information to admit or deny the truth of the allegations contained in paragraph thirteen of the Complaint. Defendant therefore denies these allegations and calls upon the Plaintiff to prove same.

14. The Defendant lacks sufficient knowledge or information to admit or deny the truth of the allegations contained in paragraph fourteen of the Complaint. Defendant therefore denies these allegations and calls upon the Plaintiff to prove same.

15. The Defendant lacks sufficient knowledge or information to admit or deny the truth of the allegations contained in paragraph fifteen of the Complaint. Defendant therefore denies these allegations and calls upon the Plaintiff to prove same.

PARTIES

16. The Defendant lacks sufficient knowledge or information to admit or deny the truth of the allegations contained in paragraph sixteen of the Complaint. Defendant therefore denies these allegations and calls upon the Plaintiff to prove same.

17. The Defendant lacks sufficient knowledge or information to admit or deny the truth of the allegations contained in paragraph seventeen of the Complaint. Defendant therefore denies

these allegations and calls upon the Plaintiff to prove same.

18. The Defendant admits that she lives in the Eastern District of Massachusetts. The Defendant denies the remaining allegations contained in paragraph eighteen of the Complaint.

19. The Defendant denies the allegations contained in paragraph nineteen of the Complaint.

20. The Defendant denies the allegations contained in paragraph twenty of the Complaint.

21. The Defendant denies the allegations contained in paragraph twenty-one of the Complaint.

22. The Defendant denies the allegations contained in paragraph twenty-two of the Complaint.

23. The allegations of paragraph twenty-three contain legal conclusions that require no response. To the extent that a response is required, Defendant denies the allegations contained in paragraph twenty-three of the Complaint.

SUBJECT MATTER JURISDICTION

24. The allegations of paragraph twenty-four contain legal conclusions that require no response. To the extent that a response is required, Defendant denies the allegations contained in paragraph twenty-four of the Complaint.

25. The allegations of paragraph twenty-five contain legal conclusions that require no response. To the extent that a response is required, Defendant denies the allegations contained in paragraph twenty-five of the Complaint.

VENUE

26. The allegations of paragraph twenty-six contain legal

conclusions that require no response. To the extent that a response is required, Defendant denies the allegations contained in paragraph twenty-six of the Complaint.

COUNT I

27. The Defendant repeats and realleges the responses to the allegations contained in paragraphs one through 26 as if set forth fully herein.

28. The Defendant denies the allegations contained in paragraph twenty-eight of the Complaint.

29. The Defendant denies the allegations contained paragraph twenty-nine of the Complaint.

30. The Defendant denies the allegations contained in paragraph thirty of the Complaint.

COUNT II

31. The Defendant repeats and realleges the responses to the allegations contained in paragraphs one through thirty as if set forth fully herein.

32. The allegations of paragraph thirty-two are legal conclusions that require no response. To the extent that a response is required the Defendant denies the allegations contained in paragraph thirty-two of the Complaint.

33. The allegations of paragraph thirty-three are legal conclusions that require no response. To the extent that a response is required the Defendant denies the allegations contained in paragraph thirty-three of the Complaint.

34. The Defendant denies the allegations contained in paragraph thirty-four of the Complaint.

35. The allegations of paragraph thirty-five are legal conclusions that require no response. To the extent that a response is required the Defendant denies the allegations contained in paragraph thirty-five of the Complaint.

COUNT III

36. The Defendant repeats and realleges the responses to the allegations contained in paragraphs one through thirty-five as if set forth fully herein.

37. The Defendant denies the allegations contained in paragraph thirty-seven of the Complaint.

38. The allegations of paragraph thirty-eight contain legal conclusions that require no response. To the extent that a response is required the Defendant denies the allegations contained in paragraph thirty-eight of the Complaint.

39. The allegations of paragraph thirty-nine contain legal conclusions that require no response. To the extent that a response is required the Defendant denies the allegations contained in paragraph thirty-nine of the Complaint.

40. The allegations of paragraph forty contain legal conclusions that require no response. To the extent that a response is required the Defendant denies the allegations contained in paragraph forty of the Complaint.

41. The allegations of paragraph forty-one contain legal conclusions that require no response. To the extent that a response is required the Defendant denies the allegations contained in paragraph forty-one of the Complaint.

42. The Defendant denies the allegations contained in paragraph forty-two of the Complaint.

COUNT VI

43. The Defendant repeats and realleges the responses to the allegations contained in paragraphs one through forty-two as if set forth fully herein.

44. The allegations of paragraph forty-four contain legal conclusions that require no response. To the extent that a response is required the Defendant denies the allegations contained in paragraph forty-four of the Complaint.

45. The allegations of paragraph forty-five contain legal conclusions that require no response. To the extent that a response is required the Defendant denies the allegations contained in paragraph forty-five of the Complaint.

46. The allegations of paragraph forty-six contain legal conclusions that require no response. To the extent that a response is required the Defendant denies the allegations contained in paragraph forty-six of the Complaint.

47. The allegations of paragraph forty-seven contain legal conclusions that require no response. To the extent that a response is required the Defendant denies the allegations contained in paragraph forty-seven of the Complaint.

48. The allegations of paragraph forty-eight contain legal conclusions that require no response. To the extent that a response is required the Defendant denies the allegations contained in paragraph forty-eight of the Complaint.

FIRST AFFIRMATIVE DEFENSE
(F.R.Civ.P. Rule 12(b)(6))

Counts I, III, and IV each fail to state a claim for which relief may be granted because they fail to allege any unlawful transmission of a radio signal.

SECOND AFFIRMATIVE DEFENSE

The Complaint should be dismissed based on the doctrine of laches, because of the plaintiff's lengthy delay in commencing the action.

THIRD AFFIRMATIVE DEFENSE

The Complaint should be dismissed because it was not filed within the applicable limitations period.

JURY TRIAL DEMAND

The Defendant requests a jury trial on all issues so triable.

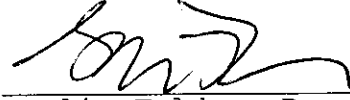
PRAYER FOR RELIEF

WHEREFORE, Defendant Marie Guerdie Chirac prays this Honorable Court to grant the following relief:

- (1) dismiss Counts I, III, and IV;
- (2) enter judgment against the Plaintiff and for the Defendant; deny all relief requested by the Plaintiff;
- (3) award reasonable attorneys fees and costs to the Defendant against the Plaintiff; and
- (4) grant such additional relief as the Court deems just and equitable.

Respectfully submitted,

MARIE GUERDI CHIRAC
By her Attorney,

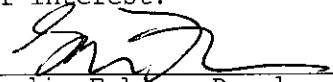


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CERTIFICATE OF SERVICE

I, Leslie Feldman-Rumpler, attorney for the Defendant, hereby certify that I have served the within document by causing a copy of it to be sent via first-class-mail, postage prepaid, to all parties of interest.

2/25/04
Date


Leslie Feldman-Rumpler